

City of Alexandria, Virginia
Department of Planning & Zoning

SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this Special Use Permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit	SUP #2017-0104
Approved by Planning and Zoning:	October 11, 2017
Permission is hereby granted to:	Glory Days Grill of Alexandria, LLC
to use the premises located at:	3141 Duke Street
for the following purpose:	see attached report

It is the responsibility of the Special Use Permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

October 11, 2017
Date

KARL MORITZ/AD
Karl Moritz, Director
Department of Planning and Zoning

DATE: October 11, 2017

TO: Alex Dambach, Land Use Division Chief
Department of Planning and Zoning

FROM: Madeleine Sims, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2017-0104
Administrative Review for New Use
Site Use: Outdoor Dining
Applicant: Glory Days Grill of Alexandria, LLC
Location: 3141 Duke Street
Zone: CG / Commercial General

Request

Special Use Permit #2017-0104 is a request to operate outdoor dining in a shopping center at 3141 Duke Street. The applicant seeks to operate an outdoor dining component to their proposed restaurant, the Glory Days Grill. The restaurant itself is a permitted use per Section 4-402 of the Zoning Ordinance, however the outdoor dining component requires administrative review. The hours of operation are proposed to 11 a.m. – 12 a.m., Monday through Saturday, and 11 a.m.-11 p.m., Sunday.

Parking

Pursuant to Section 11-513 (M) (3) of the Zoning Ordinance, a restaurant is not required to provide parking for up to 20 outdoor dining seats. Therefore, the restaurant is not required to provide additional parking.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Seminary Hill Association and Quaker Hill Community were sent an email notification of the application. Staff has not received any comments or concerns from the public.

Staff Action

Staff supports the request for outdoor dining at this location. Staff does not anticipate any impacts arising from the proposed 20 outdoor seats on the second floor of a large shopping center. The outdoor dining area is oriented towards an expansive parking lot and is buffered from residences by the shopping center itself. The applicant applied for hours between 11 a.m., and 12 a.m., daily, however due to the low potential for neighborhood impacts staff has approved an opening hour of 7 a.m., to allow the applicant flexibility for their operations should they wish to open earlier in the morning. Staff has included standard language relating to outdoor dining (Conditions #4, #6), storage of materials (Conditions #11, #12), air pollution (#15), trash (Conditions #13, #16) and hours (Condition #3).

Staff hereby approves the request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: October 6, 2017
Action: Approve


Alex Dambach, Land Use Division Chief

Attachments: 1) Special Use Permit Conditions
2) City Department Comments
3) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2017-0104

The new owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The Special Use Permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)
2. The maximum number of outdoor seats shall be 20. (P&Z)
3. The hours of operation for the outdoor dining area shall be limited to between 7 a.m. and 12 a.m., daily. All outdoor dining must be cleared of customers by the closing hour of 12 a.m. (P&Z)
4. Outdoor dining, including all its components such as planters and barriers, shall not encroach onto the public right-of-way unless authorized by an encroachment ordinance. (P&Z)
5. No live entertainment shall be allowed in the outdoor dining area. (P&Z)
6. Any outdoor seating areas, including umbrellas, shall not include advertising signage. The applicant shall submit illustrations and specifications to the Director of Planning and Zoning for review and approval. (P&Z)
7. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
8. On-premises alcohol sales are permitted in the outdoor dining area. No off-premises alcohol sales are permitted in the outdoor dining area. (P&Z)
9. No food, beverages, or other material shall be stored outside. (P&Z)
10. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements, and on how to prevent underage sales of alcohol. (P&Z)
11. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
12. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
13. If used cooking oil is stored outside, the drum shall be kept securely closed with a bung when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (T&ES)

14. Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)
15. Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or wash water be washed into the streets, alleys or storm sewers. (T&ES)
16. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
17. All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
18. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
19. The use must comply with the city's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. No live entertainment or the use of TV and other audio/video equipment is allowed in the outdoor dining area. (T&ES)
20. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)
21. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES)
22. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
23. The applicant shall require its employees who drive to work to use off-street parking. (T&ES)
23. The Director of Planning and Zoning shall review the Special Use Permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which

create a direct and immediate adverse zoning impact on the surrounding community; (b) the Director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- R-1 Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
- R-2 Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
- R-3 If used cooking oil is stored outside, the drum shall be kept securely closed with a bung when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (T&ES)
- R-4 Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)
- R-5 Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or wash water be washed into the streets, alleys or storm sewers. (T&ES)
- R-6 The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
- R-7 All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
- R-8 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-9 The use must comply with the city's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. No live entertainment or the use of TV and other audio/video equipment is allowed in the outdoor dining area. (T&ES)

- R-10 The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)
- R-11 The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES)
- R-12 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
- R-13 From Section 11-513(C) of the Zoning Ordinance:
General standards for all administrative uses:
(5) The applicant shall require its employees who drive to work to use off-street parking.
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of SUP approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C-3 Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES)

Code Enforcement:

- F-1 A building permit, plan review and inspections are required for project description listed in the SUP.

Health Department:

No comments received.

Parks and Recreation:

No comments received.

Police Department:

No comments received.


Fire

F-2 A fire prevention permit is required for this location – Assembly.

SUP #2017-0104
3141 Duke Street

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2017-0104. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the outdoor dining at 3141 Duke Street.



Applicant - Signature

10/31/17
Date

Gary M. Cohen

Applicant - Printed

10/31/17
Date